

## CONTINUED PROSECUTION APPLICATION (CPA)

## Request Transmittal Under Small Entity Status

(Only for Continuation or Divisional Applications Under 37 CFR § 1.53(d))

Attorney Docket No.

FERN-P003

Car/ J.T. Douglas  
9/11/99

## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

SEP 03 1999  
JC21  
O I P E  
PATENT & TRADEMARK OFFICE

This is a request for a  continuation  divisional application under 37 CFR § 1.53(d) (Continued Prosecution Application (CPA)), of prior application No. 09/095,390 filed on 6/10/98, and entitled DIGITAL TELEVISION WITH SUBSCRIBER CONFERENCE OVERLAY.

Name of Applicant(s): FERNANDEZ, et al

The issue fee in the prior application has not been paid.  
 The prior application is abandoned under 37 CFR § 1.53(d)(2) as of the filing date of this continued prosecution application.  
 Please use the file jacket and all the contents of the prior application, including the specification, drawings, and entered amendments, to constitute the new application.

Foreign Priority - 35 USC § 119

Foreign priority under 35 U.S.C. § 119 has been claimed in prior application No. \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_, in (country) \_\_\_\_\_.  
 The certified copy has been filed in prior application No. \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_.  
 A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

Other Amendments

Before calculating the filing fee, amend the prior application as follows:

Cancel the following claims: \_\_\_\_\_  
 Enter the enclosed preliminary amendment.  
 Enter the unentered amendment(s) previously filed on 09/02/99 (2 Sep 1999) under 37 CFR § 1.116 in the prior nonprovisional application. A copy of the amendment(s) is (are) enclosed.

Inventorship Statement

Delete the following named inventors in the prior application as inventors in this application in accordance with 37 CFR § 1.53(d)(4) as a result of a change in the claimed subject matter: \_\_\_\_\_

Assignment

The prior application is assigned to \_\_\_\_\_

Enclosures

Specification; 12 Total Pages.  Drawing(s); 3 Total Sheets (FIG. 1-5)

Oath or Declaration:

A newly executed combined oath or declaration and power of attorney (37 CFR § 1.63(d)(4)).  
 A copy from a prior application for continuation/divisional (37 CFR § 1.63(d)(1)).

Incorporation by reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Power of Attorney was changed during prosecution of prior application to \_\_\_\_\_  
 Correspondence address was changed during prosecution of prior application to that shown below.

Priority Documents (if foreign priority is claimed).

Associate Power of Attorney.

Verified statement(s) to establish status as a small entity:

Is enclosed.  Small entity status is no longer claimed.

A statement was filed in the prior application, and small entity status is still proper and desired.

Return Receipt Postcard.  Preliminary Amendment(s).  Unentered Amendment(s).

A check in the amount of 380.00 for the Filing Fee. Check # 238

Other: \_\_\_\_\_

09/08/1999 09085690 0000001050 09085390

380.00 0P  
02 FC:231

Filing Fee Calculation

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	10	0	\$9.00	\$ 0.00
Independent Claims	3	0	\$39.00	\$ 0.00
Multiple Dependent Claim Fee (if applicable)				\$ 0.00
Assignment Recording Fee (if applicable)				\$ 0.00
Basic Filing Fee				\$ 380.00
			Total Filing Fee	\$ 380.00

Please charge \$ \_\_\_\_\_ to Deposit Account No. \_\_\_\_\_ pursuant to 37 CFR § 1.25.

At any time during the pendency of this application, the Commissioner is hereby authorized to charge any fees required or credit any overpayment to this Deposit Account. A duplicate copy of this sheet is enclosed for fee processing against this Deposit Account 500482.

Respectfully submitted,

By: Irene H. Fernandez  
IRENE H. FERNANDEZ  
Attorney of Record  
Reg. No. 34,625

Date: 2 Sep 1999

Correspondence Address:

IRENE H. FERNANDEZ, ESQ.  
FERNANDEZ & ASSOCIATES, LLP  
1047 EL CAMINO REAL, SUITE 201  
MENLO PARK, CA 94025

Phone: (650) 325-4999  
Fax: (650) 325-1203  
Email: [rene@iploft.com](mailto:rene@iploft.com)

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Assistant Commissioner for Patents  
Box CPA  
Washington, D.C. 20231

By: Irene H. Fernandez

Typed Name: IRENE H. FERNANDEZ  
Express Mail Label No.: EJ737785195US

Date of Deposit: 2 SEP 1999